

# EXHIBIT A

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 2307Z-085810US  
Client Reference No.: 98-207-2

Assistant Commissioner for Patents  
Washington, D.C. 20231

On June 27, 2000

TOWNSEND and TOWNSEND and CREW LLP

By: Kathryn A. Degliantoni

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ABBOTT *et al.*

Application No.: 09/127,382

Filed: July 31, 1998

For: OPTICAL AMPLIFICATION OF  
MOLECULAR INTERACTIONS USING  
LIQUID CRYSTALS

Examiner: McCarthy III, T.

Art Unit: 1618


COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

On June 7, 2000, Applicants forwarded an Amendment and an unsigned Declaration of the inventors responsive to the Office Action mailed December 7, 1999. In that regard, attached is the Declaration submitted on June 7, 2000, which has been executed by the inventors.

Respectfully submitted,

  
Jeffrey S. Mann  
Reg. No. 42,837

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
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JSM:kad  
SF 1109079 v1

EXHIBIT A (PG. 2/6)

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Examiner: McCarthy III, T.

Art Unit: 1618

DECLARATION OF NICHOLAS L.  
ABBOTT, JUSTIN J. SKAIFE, VINAY S.  
GUPTA, TIMOTHY B. DUBROVSKY  
AND RAHUL SHAH

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

(1) We, Nicholas L. Abbott, Justin J. Skaife, Vinay S. Gupta, Timothy B. Dubrovsky and Rahul Shah declare as follows:

(2) That we are the named and true inventors in the above-referenced patent application and that we are co-inventors of the subject matter disclosed and claimed in said application, and the only inventors thereof.

(3) We understand that the Examiner rejected claims 88-89 and 92-99 of the application under 35 U.S.C. § 102(a) as anticipated by Gupta *et al.* (1998). We understand "Gupta *et al.*" to refer to an article entitled "Optical Amplification of Ligand-receptor Binding Using Liquid Crystals," *Science* 279:2077 (1998). We make this declaration to present facts

ABBOTT et al.  
Application No.: 09/127,382  
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showing that Gupta *et al.* is the disclosure of persons named as inventors of the above-captioned application, and not the disclosure of others.

(4) That we, Nicholas L. Abbott, Justin J. Skaife, Vinay S. Gupta, and Timothy B. Dubrovsky are co-authors of the article entitled "Optical Amplification of Ligand-Receptor Binding Using Liquid Crystals," *Science* 279:2077 (1998).

(5) That the above-referenced application discloses subject matter in addition to the subject matter disclosed in Gupta *et al.*

(6) That the contribution of Rahul Shah to the present invention, resides in material that is not disclosed in Gupta *et al.* and that Rahul Shah did make an inventive contribution to the subject matter disclosed and claimed in the above-referenced application and, thus, he is a co-inventor of said subject matter.

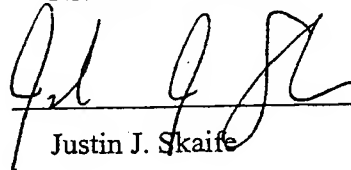
(7) We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 06/16/00



Nicholas L. Abbott

Dated: 06/19/00



Justin J. Skaife

Dated: \_\_\_\_\_

Vinay K. Gupta

Dated: \_\_\_\_\_

Timothy B. Dubrovsky

ABBOTT et al.  
Application No.: 09/127,382  
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Dated: \_\_\_\_\_

Nicholas L. Abbott

Dated: \_\_\_\_\_

Justin J. Skaife

Dated: 6/22/2000

  
Vinay K. Gupta

Dated: \_\_\_\_\_

Timothy B. Dubrovsky

ABBOTT et al.  
Application No.: 09/127,382  
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Dated: \_\_\_\_\_

Nicholas L. Abbott

Dated: \_\_\_\_\_

Justin J. Skaife

Dated: \_\_\_\_\_

Vinay K. Gupta

Dated: 06/23/2000

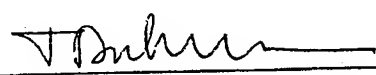
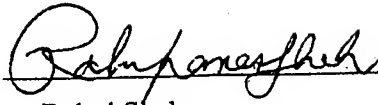
  
Timothy B. Dubrovsky

EXHIBIT A (PG. 6/6)

PATENT

ABBOTT et al.  
Application No.: 09/127,382  
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Dated: 06/16/00

  
Rahul Shah

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